

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
TEXARKANA DIVISION

DANIEL DWIGHT MATNEY

PLAINTIFF

v.

Case No. 4:18-cv-04146

JAIL ADMINISTRATOR CHRIS WOLCOTT,  
Sevier County Detention Center; JAILER  
BARBARA FRANCO; JAILER JUSTYCE  
BROWN; NURSE SHARON FLOURNOY; JAILER  
TERRY HERNANDEZ; JAILER ISAAC  
ALVARADO; JAILER GILBERT ELIZONDO;  
and JAILER MEGAN LINDSEY

DEFENDANTS

**ORDER**

This is a civil rights action filed by Plaintiff, Daniel Dwight Matney, pursuant to 42 U.S.C. § 1983. Before the Court is Plaintiff's Motion to Dismiss. (ECF No. 13). Defendants have filed a response indicating they have no objection to voluntary dismissal of this case. (ECF No. 14). The Court finds this matter ripe for consideration.

Federal Rule of Civil Procedure 41(a)(2) allows a plaintiff to dismiss an action, by court order on "terms that the Court considers proper." Fed. R. Civ. P. 41(a)(2). Dismissal under Rule 41(a)(2) is without prejudice unless the court specifically orders to the contrary. *Id.* Accordingly, the Court finds that Plaintiff's Complaint (ECF No. 1) should be and hereby is **DISMISSED WITHOUT PREJUDICE.**

**IT IS SO ORDERED,** this 26th day of February, 2019.

/s/ Susan O. Hickey

Susan O. Hickey

Chief United States District Judge